

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

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| CHARLES M. SMITH AND BOSSIER RIVERSIDE, L.L.C. | : | CASE NO.: CV05-1416S |
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| VERSUS | : | JUDGE STAGG |
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| RIVERWALK ENTERTAINMENT, L.L.C., LOUISIANA RIVERWALK, L.L.C. AND THE CITY OF BOSSIER CITY, LOUISIANA | : | |
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| | : | |
| | : | MAGISTRATE JUDGE HAYES |

**STIPULATION OF DISMISSAL PURSUANT
TO FED. R. CIV. P. 41(a)(1)(ii)**

NOW COME plaintiffs, CHARLES M. SMITH and BOSSIER RIVERSIDE, L.L.C. (collectively, “plaintiffs”), and defendants, RIVERWALK ENTERTAINMENT, L.L.C., LOUISIANA RIVERWALK, LLC, CITY OF BOSSIER CITY, LOUISIANA, JOHN GOOD, RIVERWALK MANAGER, L.L.C., BW LAND HOLDINGS, LLC, O & S HOLDINGS, LLC, PAVAN HOSPITALITY L.L.C. and LASALLE BANK, N.A., AS TRUSTEE FOR MERRILL LYNCH MORTGAGE INVESTORS, INC. COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2005-CKI 1 (collectively, “defendants”), who, through counsel, stipulate that plaintiffs’ suit against all defendants, and the CITY OF BOSSIER CITY, LOUISIANA’s Counterclaim against plaintiffs, be and are each **HEREBY DISMISSED**, with prejudice, with each party to bear its own court costs, this 18th day of December, 2008.

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